

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

DAVID PAUL HILL,

Petitioner,

v.

CASE NO. 1:16-CV-369

CRIM. NOS. 1:05-CR-171; 1:05-CR-110

JUDGE MICHAEL H. WATSON

Magistrate Judge Elizabeth A. P. Deavers

UNITED STATES OF AMERICA,

Respondent.

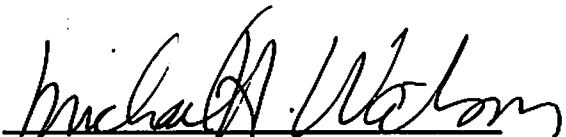
**OPINION AND ORDER**

On February 5, 2018, the Magistrate Judge issued a Report and Recommendation ("R&R") recommending that the motion to vacate under 28 U.S.C. § 2255 be denied. ECF No. 24. Although the parties were advised that they had the right to object to the R&R, no objections have been filed. The R&R is, therefore, **ADOPTED** and **AFFIRMED**. The motion to vacate, ECF No. 10, is **DISMISSED**.

Pursuant to 28 U.S.C. § 2253(c)(1)(B), the Court must also assess whether to issue a certificate of appealability. Rule 11 of the Rules Governing Section 2255 Proceedings for the United States District Courts states that "[t]he district court must issue or deny a certificate of appealability when it enters a final order adverse to the applicant." Petitioner has, however, waived the right to file an appeal by failing to file objections to the Magistrate Judge's recommendations. *See Thomas v. Arn*, 474 U.S. 140, 147 (1985); *United States v. Walters*, 638 F.

2d 947, 950 (6th Cir. 1981). The Court therefore **DECLINES** to issue a certificate of appealability.

**IT IS SO ORDERED.**

  
**MICHAEL H. WATSON**  
**UNITED STATES DISTRICT JUDGE**